

MINUTES

MONTANA SENATE 56th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: By **VICE CHAIRMAN DALE MAHLUM**, on February 5, 1999
at 3:25 P.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. William Crismore, Chairman (R)
Sen. Dale Mahlum, Vice Chairman (R)
Sen. Vicki Cocchiarella (D)
Sen. Mack Cole (R)
Sen. Lorents Grosfield (R)
Sen. Tom Keating (R)
Sen. Bea McCarthy (D)
Sen. Ken Miller (R)
Sen. Glenn Roush (D)
Sen. Mike Taylor (R)

Members Excused: Sen. Bill Wilson (D)

Members Absent: None.

Staff Present: Larry Mitchell, Legislative Branch
Jyl Scheel, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 29, 2/5/1999; HB 35,
2/5/1999; SB 314, 2/5/1999
Executive Action: SB 249, 2/5/1999; HB 29,
2/5/1999; HB 35, 2/5/1999

HEARING ON HB 29

Sponsor: REPRESENTATIVE KARL OHS, HD 33, HARRISON

Proponents:

**Ray Beck, Administrator, DNRC - Conservation and Resource
Development Division**

Ralph Peck, Department of Agriculture

**Mike Volesky, Executive V.P., Montana Association of Conservation
Districts**

Mike Murphy, Montan Water Resources

Opponents: None

Opening Statement by Sponsor:

REPRESENTATIVE KARL OHS, HD 33, HARRISON, stated **HB 29** is a simple bill. Its purpose is to increase the bonding authority of the Renewable Resource Private Loan Program from \$10 million to \$20 million. It is a good program to help farmers and ranchers update their irrigation equipment. These bonds are sold to the private market so there is no interest. It is a program that banks are a little hesitant to get into. If the program continues to grow, the bonding could possibly run out before the next biennium and thus the reason for the bill. It has been a good program in his area with several people using it and he urges favorable consideration on this proposal.

Proponents' Testimony:

Ray Beck, Administrator, DNRC - Conservation and Resource Development Division, thanked **REP. OHS** for carrying this bill for them. This bill increases their bonding authority from \$10 million to \$20 million in the Renewable Resource Loan Program. It is a private loan program that has been very successful over the past 15 years of its existence. They have closed a total of 154 loans for \$12.1 million. The reason they are requesting this additional bonding authority is currently they have \$6.35 million in outstanding bond debt. They plan to close around \$2 million in loans this biennium leaving \$1.65 million for the next biennium. With the demand they are seeing on this program, they are sure this will not be adequate for the upcoming years.

The program allows them to loan a maximum of \$200,000 to private individuals and up to \$300,000 for irrigation districts. There are no interest rate subsidies on this loan. These are state issued taxable bonds backing these loans. He encouraged the committee's support of **HB 29**.

Mr. Beck submitted written testimony for **Ralph Peck, Director, Montana Department of Agriculture** as he had to testify at another hearing. **EXHIBIT (nas29a01)**.

Mike Volesky, Executive V.P., Montana Association of Conservation Districts, stated his support of **HB 29**. In the minds of conservation district officials across Montana, this program helps landowners put into place conservation practices and at the same time improve their bottom line. They see this as a good thing and hopes the committee will too.

Mike Murphy, Montana Water Resources Association, stated they also wished to go on record in support of **HB 29**.

Opponents' Testimony: None.

{Tape : 1; Side : A; Approx. Time Counter : 0 - 4.7; Comments : None.}

Questions from Committee Members and Responses:

SENATOR KEATING questioned the performance on the standing bonds, if they are paid up or is money being lost? **Mr. Beck** responded they had no loans in default at the current time. They had four loans that were in default in the mid-80's made by the loan officer at that time. The Department took the program over in 1989, hired a new loan officer, and since that time they have not had any loans in default. Their security is 150% and the law requires 125% so their security is quite adequate.

SENATOR COLE asked the size and number of current loans. **Mr. Beck** replied there have been 154 loans out but he was uncertain as to the current number of loans. The maximum loan for a private individual is \$200,000 and it can go up to \$300,000 for irrigation districts. The majority are for irrigation improvements mostly for pivot irrigation systems and some new systems. **SEN. COLE** said these projects could also include canals and water saving improvements on some of the older irrigation projects. **Mr. Beck** stated that was correct. They do have one or two hydro projects but most of them are for upgrading current irrigation systems and new systems.

{Tape : 1; Side : A; Approx. Time Counter : 4.7 - 6.6; Comments : None.}

Closing by Sponsor:

REPRESENTATIVE KARL OHS, HD 33, HARRISON, stated they first heard this program in the Jobs and Income Program and felt it was very crucial to developing the economy of Montana to make more efficient use of our water. Because this is a bonding bill, it

does take 2/3 majority. They received 89 votes in the House and he was hopeful it would do that well in the Senate.

{Tape : 1; Side : A; Approx. Time Counter : 6.6 - 7.2; Comments : None.}

HEARING ON HB 35

Sponsor: REPRESENTATIVE CHRIS AHNER, SD 51, HELENA

Proponents:

Bud Clinch, Director, Department of Natural Resources & Conservation

Opponents: None.

Opening Statement by Sponsor:

REPRESENTATIVE CHRIS AHNER, SD 51, HELENA, presented **HB 35**. The Resource Development Program and account has been in place since 1967. It has been productive in enhancing and developing resources on trust lands to derive greater revenues for the support of the trust beneficiaries. This bill allows the resource development deduction to continue at 3%. It was voted 3% in the last biennium and this is simply a continuation. These funds have served for payment on late water right claims on trust lands, environmental hazards, inventory on trust lands and to fund maintenance and marketing on the former Swan Boot Camp. All these efforts were accomplished as planned. The intended use for these funds is to fund a conversion of the current data base utilized by Department of Natural Resources and Conservation to administer and manager the trust lands.

Proponents' Testimony:

Bud Clinch, Director, DNRC, stated this particular bill merely intends to maintain in statute a 3% diversion of revenues coming off the distributable side of the revenues produced from the school trust lands. He passed out a Revenue Flow Chart for reference. **EXHIBIT (nas29a02)** The Resource Development Account was established in 1967 with the intent of diverting 2.5% of the revenues that come from grazing leases, agricultural leases, oil and gas rentals, bonuses and penalties and various other revenues. The purpose of the account is to provide a revenue source for development activities to enhance the landscape so those lands can become even more productive. Last session **REP. GRADY** carried a bill to increase the traditional diversion of 2.5% to 3%.

The intention is to continue the diversion at 3%. They have found other areas where the money can be applied to enhance their activities on the ground which further enhances their ability to make more money. In the short term, they are planning to utilize the money to pay for the development of a data base on all their school trust lands so they can have at their fingertips information like, land ownerships, land classifications and lessees, etc. to help make better decisions for future management of those lands.

Opponents' Testimony: None.

{Tape : 1; Side : A; Approx. Time Counter : 7.2 - 12; Comments : None.}

Questions from Committee Members and Responses:

SENATOR KEATING stated the first use mentioned for this biennium was to locate environmental hazards on the land and were any found? **Mr. Clinch** responded they found some. They hired a third party contractor to go and look at specific sites to inventory what was there, and the magnitude, in order to be moved forward with future potential cleanup. They will develop a priority list and over time start addressing them based on their priorities.

SEN. KEATING questioned if they had plans for what they would do with this money in this biennium? **Mr. Clinch** responded this money is intended to develop an entire new data base for all state school trust lands. They are going to hire a private company through contracted services to computerize all their records to better enhance their ability to make day to day decisions on management of those lands. **SEN. KEATING** questioned if this account is an ongoing account and if there was a surplus in the account, could they carry that fund balance over? **Mr. Clinch** stated he thought that was correct. **SEN. KEATING** asked if the interest income earned increases the account or does it go into the general fund? **Mr. Clinch** stated he was not sure but he thought it probably went to the General Fund. He also stated last week on the House Floor, when **REP. AHNER** carried this bill, **REP. RANEY** spoke against this and said it was a sneaky way for government agencies to expand their budgets. Those involved in appropriations know that is not so. All that is being done is to establish a revenue source. The allocations and appropriations of this goes to all the processes reviewed by the subcommittee and then both finance and claims and appropriations.

SENATOR TAYLOR questioned if they were going to work with ISD on their computer database update or if they were going to use outside sources? **Mr. Clinch** responded their intent was to do the update on a contract with a private party. Other states in the

Western United States that deal with large land masses, many of which have already gone through this updating process, suggested there are some very capable private firms that have much of the software already and are better positioned to do it than they would internally in state government. **SEN. TAYLOR** asked if they would be bringing the bid or proposal before Finance and Claims or through House Appropriations? **Mr. Clinch** responded yes, this year, one of their new proposals in their budget was this data base development. **SEN. TAYLOR** asked how much that was? **Mr. Clinch** responded it would be a loan through the Board of Investments and would be a \$600,000 project over the course of seven years.

SENATOR COCCHIARELLA asked if they were subject to the MontFind payment and how much do they pay for that? **Mr. Clinch** answered yes but he was not sure the exact payment.

SENATOR TAYLOR stated he sat on the committee that funds MontFind and they are currently addressing those issues.

Closing by Sponsor:

REPRESENTATIVE CHRIS AHNER, SD 51, HELENA, stated they were going to utilize information from other states so they do not have to reinvent the wheel. As our state moves forward in this information age, they are hoping to utilize and create a level where they can be competitive and keep pace with the demands for state management of our lands. She encouraged a DO PASS recommendation.

{Tape : 1; Side : A; Approx. Time Counter : 12 - 18.5; Comments : None.}

HEARING ON SB 314

Sponsor: **SENATOR DUANE GRIMES, SD 20, CLANCY**

Proponents:

**John Arrigo, Administrator, Department of Environmental Quality
Enforcement Division**

Opponents: **None.**

Opening Statement by Sponsor:

SENATOR DUANE GRIMES, SD 20, CLANCY, presented **SB 314** which is an act revising laws related to asbestos abatement. The Asbestos

Abatement Control Act enacted in 1989 created an accreditation program to certify persons involved in the related occupations and a permit system for the removal and disposal. The purpose of this bill is to clarify and expand the Department's enforcement authority for administrative penalties for violation of the act and he brings the bill at the request of the Department.

If a person violates the current laws the Department has the authority to issue an order to compel a person to end a violation but has no authority to order clean up or assess administrative penalties. The passage of this bill would make the civil penalty consistent and authorize the Department to issue administrative penalty orders and clean up orders to any person who violates the act.

Proponents' Testimony:

John Arrigo, Administrator, Department of Environmental Quality Enforcement Division, spoke in support of **SB 314** as per his written testimony **EXHIBIT (nas29a03)**.

Opponents' Testimony: None.

{Tape : 1; Side : A; Approx. Time Counter : 18.5 - 24.2; Comments : None.}

Questions from Committee Members and Responses:

SENATOR COCCHIARELLA questioned in new Section 9 on page 5 is a repealer of Section 75-2-514, however, on page 1, Line 29 amends that Section. Is that correct? **Mr. Arrigo** admitted it is confusing. If **SB 313** is passed then the repealer is void.

SENATOR MILLER wondered if there were examples of specific problems occurring that require the change? **Mr. Arrigo** stated an example is in the language of the existing law itself. Penalties are different for different types of people and the Department is authorized to take these people to court. Typically they end up in litigation and would prefer to have administrative penalty authority in order to have lower penalties and deal with these people on an administrative level.

SENATOR TAYLOR asked for an example of the court cases. **Mr. Simonich** stated he was not able to give a specific example of a case but would try to explain. In many of environmental statutes **DEQ** administers, the legislature has given them administrative enforcement authority so they can issue an administrative order to stop an activity, clean up the activity and collect a penalty. This bill makes this authority fairly consistent with the

authority they have in a number of the other environmental statutes so the Department can initialize steps administratively to get things cleaned up and then issue penalties.

SENATOR TAYLOR asked how did they arrive at the amount of \$10,000 per day? **Mr. Simonich** stated that was a number in statute for some of the other penalties. A criminal penalty goes up to \$25,000 per day under some statutes. Generally they can not go above \$10,000 per day on administrative penalties. **SEN. TAYLOR** stated under the new section it stated "any reasonable time" and asked for an explanation. **Mr. Simonich** said whatever a reasonable person would consider as reasonable. They are not going to show up in the dead of night. Generally if it is a business they would anticipate working with them during normal business hours.

SENATOR KEATING asked if this program was EPA driven? **Mr. Arrigo** responded there is a portion of the program, NESHAPS, which comes out of the Federal Clean Air Act. The Asbestos Control Act which is being amending here is unique to the State of Montana. **SEN. KEATING** asked if there were federal enforcements as well as state enforcements? **Mr. Arrigo** stated there was actually three types of asbestos enforcement authorities - state law, state clean air act with the NESHAPS requirement and a federal counterpart to that and then there are federal OSHA requirements which are mirrored under the state Department of Labor and Industry statutes. It is unlikely the state would take an action and EPA would take the duplicate action.

SENATOR KEATING asked if each of the enforcement authorities required a permit and had their own enforcement rules? **John Podolinsky, Coordinator of the Asbestos Control Program for DEQ,** responded there are three regulations that regulate contractors during abatement work - EPA, OSHA and the State of Montana. They are obligated to follow their regulations in the original permitting requirements. **SEN. KEATING** asked if a contractor messes up would he be subject to three separate fines for the same mistake or violation? **Mr. Podolinsky** stated it could be a possibility but not necessarily for the same particular violation. It could be one or two or none. **SEN. KEATING** stated there are two kinds of asbestos, one kind is dangerous and the other is not. Does EPA require that it all be cleaned up the same? **Mr. Podolinsky** responded yes. There is a misconception that all asbestos must be cleaned up. If the material is in good shape it can be left alone and left to do it's business in terms of insulating pipes or acting as floor tile or ceiling tile, etc. A lot depends on how the material is defined and how it is categorized.

SENATOR GROSFIELD questioned page 3 line 19, how does that line relate to the effective date of this bill? Does it mean if this bill passes and the effective date is October 1, then on October 2 a penalty could be assessed going back three years from October 2? **Mr. Arrigo** said he thought the answer was yes. A non-legal interpretation is if we have this new administrative penalty authority on October 2 and we discover a violation that has occurred now we would go back and set penalties for that. **SEN. GROSFIELD** asked if that was not an ex post facto law creating a retroactive penalty? **Larry Mitchell** stated that it seems the way it was written makes an ex post facto law. It would be one that was not a violation at the time it occurred but this would make it retroactive the way it is written. **SEN. GROSFIELD** stated that is something that should be checked.

SENATOR GROSFIELD said he thought they had gotten all the penalties into the General Fund and on page 1, Line 18 and 19, he finds a penalty that is funding an agency. There are also new sections in this bill that penalties also go to the agency. Would you care to comment? **Mr. Simonich** stated they can't be blamed for trying. Last session there was an effort by one of the appropriations committee members to move penalties into the budget to try to fund the entire enforcement division. The Department objected to that and do not want to be in the position of being seen as bounty hunters collecting penalties just to keep the Department running. They would certainly not be adverse to those penalties going into the General Fund instead recognizing that would put them in a position where they would be asking the General Fund to fund the agency. **SEN. GROSFIELD** stated he appreciated the comment. He thought that was the way this would be interpreted which is one of the big reasons why the penalties are put into the General Fund in order to avoid that position.

SENATOR MAHLUM questioned if a store owner was removing some asbestos from their store over a period of seven days or more would that owner have a problem? **Mr. Simonich** stated to the best of his knowledge, no. This is targeted to those individuals who are licensed to remove.

{Tape : 1; Side : A; Approx. Time Counter : 24.2 - 44; Comments : Turned to Side B at this point.}

Closing by Sponsor:

SENATOR DUANE GRIMES, SD 20, CLANCY, stated the Department would have to go to court unless this bill is passed. This would allow for a quicker settlement and actually caps the penalty. He encouraged a DO PASS recommendation and the Department be present for Executive Action to answer any questions.

{Tape : 1; Side : B; Approx. Time Counter : 0 - 2.4; Comments : None.}

EXECUTIVE ACTION ON SB 249

Motion: SEN. KEATING moved that SB 249 DO PASS.

Discussion:

SENATOR GROSFIELD said he had a little problem with this bill. He agrees that the Resource Indemnity Trust Fund(RIT)has not been spent properly over the last 10+ years. He also agrees that it now should be spent on reclamation type activities. Two years ago there was a presentation in Environmental Quality Council regarding what was the original intention of **RIT**. Was the original intention to reach \$100 million and then shut it off or not? In that discussion and in every discussion following on the issue there has never been a decisive answer. In the research he has done on this issue he has reached the conclusion that there was not an intention to eliminate the tax.

In 1972 after the Constitutional Convention, the Constitution was ratified by a vote of the people on June 6, 1972. In that ratification in Article 9, Section 2 there was a reclamation section. That reclamation section said "all lands disturbed by taking natural resources shall be reclaimed. The Legislature should provide effective requirements and standards for the reclamation of lands disturbed." The **RIT** part is not there and was not part of the 1972 Constitution. The 1973 legislature proposed a bill to create the Resource Indemnity Trust account which was created by an act adopted March 29, 1973. That has the same language, as in current law, that says only the interest will be spent until the fund reaches \$100 million and thereafter it will be appropriated by the legislature. The important thing to note is that was adopted in 1973.

In 1974, the legislature adopted a referendum in Chapter 117. That was the **RIT** referendum which said the legislature shall provide for the fund and the principal shall remain forever inviolate at \$100 million. The significance is that language was proposed in Chapter 117 for the purpose of trying to make sure that until \$100 million was reached, the legislature did not rob the money. Eventually a small portion was robbed for the Groundwater Assessment Program. That was the purpose of going to a vote of the people two years after the Constitution had been ratified. Constitutional Amendment #1 appeared on the ballot in

1974 passing 121,000 to 76,000 votes and became effective July 1, 1975.

The **RIT** \$100 million cap was put in so the legislature could not rob the **RIT**, not so the tax would end at that time. He feels it is very unfortunate that not all that money has been spent on reclamation. Instead tens of millions of dollars have been spent, basically funding agencies, over the past 10 years. He knows **SEN. SWYSGOOD'S** bill, **SB 49**, gets the majority of the state agencies out of the **RIT**. He cannot support this bill and feels we should have a bill, which he is working on, which will reorient the spending of the money back to reclamation, in the event this bill does not pass.

He knows there are many unplugged holes around the state and at a cost of \$15,000 to \$17,000 per hole to plug them and he thinks the **RIT** money is the right way to do that.

SENATOR KEATING stated, in his opinion, the reason the \$100 million trust was referred to the people and adopted and placed in the Constitution was to make sure it was inviable. Not even a 3/4 vote that can take the money from that trust fund. The taxes paid into **RIT** are in the fund, are untouchable and are to be invested. The referendum for the establishment of the trust also said the legislature would levy the tax to fund the \$100 million trust. Why did they not say a \$200 million trust or an unlimited trust? The people intended there be a \$100 million trust fund as an objective that when it is reached, it has satisfied the requirement of the Constitution - no less, no more. The tax then could be rescinded or the taxpayers could be relieved.

The purpose of the fund was to generate revenue interest income for the purposes of reclamation. It is the earned income that has been used for all kinds of other purposes. It was not until 1991 that the tax itself was diverted. The first diversion of the tax was for a water project, not for reclamation of mining disturbances. The next move was to eliminate one taxpayer from contributing to the fund and using the tax money from that industry for mining reclamation and orphan share reclamation. Orphan shares are not always mining, some of it is hazardous and toxic material from various industries. People who have been paying the tax are the oil, gas and coal owners.

SEN. GROSFIELD is suggesting when the fund reaches \$100 million, the tax should not be rescinded or repealed. The taxpayer should not be given a tax break but the tax should be used for reclamation purposes. Since bonding was required in oil and gas, all of the modern exploration has been cleaned up and paid for by the operators. The operators have reclaimed all the disturbances for oil and gas. Coal has been cleaned up and all the coal mines

that have been closed and cleaned up and all the mines being operated are fully bonded and will be cleaned up over time. The only thing we are talking about, for mineral disturbances, are the ancient oil and gas wells and the ancient mining that was done. There is no urgency. It can be taken care of over time and the interest income, approx. \$15 to \$20 million per biennium, is to be used for that reclamation purpose. That will go a long way toward cleaning up those old disturbances that people back then thought ought to be done.

This bill merely sunsets the tax. It is tax relief for the oil, gas and coal producers and royalty owners. They have paid 70% - 80% of what is in the **RIT** and have done their share for building the fund. The legislature has the authority and power to repeal the tax. The intent of the people to have a \$100 million trust fund will be achieved in three years and the tax can be sunset at that time. That would be public policy.

SENATOR COCCHIARELLA stated she agrees the **RIT** money should be spent for reclamation but does not think this bill is the right direction to go now. It needs to be fixed to ensure the bonding is appropriate and then it may be appropriate to get rid of the tax in the future.

SENATOR CRISMORE said with this bill and with the interest income, would there still be money to do reclamation? **SENATOR KEATING** stated yes. The trust fund itself is not being eliminated nor the income of \$10 million per year that can be used. The Orphan Share and the hard rock mining remediation people have a hard time each spending \$1 million per year. The Board of Oil and Gas could probably spend \$600,000 per year for plugging wells and at that rate would finish plugging those wells in 28 years.

Right now there is a requirement for a \$5,000 bond to drill one well which is enough to plug that hole. The \$50,000 bond is to cover multiple wells. There are very few operators in exploration now who, in drilling and exploration, can walk away from a dry hole without plugging it. The bond is there to ensure they have the money to plug that hole. The bond continues throughout production so at the end of production, if the operator is broke, the \$50,000 will go a long way toward plugging those holes. With the new bonding and the new laws, orphan wells will not be the problem they have been in the past.

SENATOR COLE stated we are looking at is sunsetting the **RIT** tax with this bill. It appears there is adequate bonding on these wells. The fund was set up to be at \$100 million and was to stop at that time. He feels it is only appropriate to do that.

SENATOR ROUSH said this bill really hits the people of his district because he comes from one of the oldest oil and gas fields in the State of Montana. He believes the legislature made a deal with the oil, gas and coal people when they passed this referendum that it would be capped at \$100 million. That is like a business contract in his mind. Since then, there have been a lot of other accounts off the interest, and it is slowly growing to \$100 million now. If **SB 249** does not pass out of this committee he would strongly work with **SEN. GROSFIELD** to get some language developed that we do something with diverting that money back to the reclamation of oil, gas and coal. By the same token, there are a lot of agriculture people in his area that utilize some of the water development funds from the **RIT** interest earning account.

SENATOR GROSFIELD stated he is pleased to hear the bonding is up to \$50,000, however, there are literally thousands of unplugged holes in Montana. The locations are now logged since the start of having environmental regulations. Multiple wells mean two to however many you own and in some cases there are 200 to 300 wells under that \$50,000 bond. He does not feel an additional \$600,000 from **RIT** going toward plugging those holes is sufficient when it takes an average of \$15,000 to \$17,000 to plug a hole. In his mind there is a need to do something whether this bill is passed or not. From the policy perspective, a decision has to be made whether to get rid of the tax or not.

SENATOR KEATING stated he was not sure where **SEN. GROSFIELD** was getting his numbers and he would like to see a count someplace. He has a record of the wells being plugged with some being in Devils Basin and some in the Cut Bank area. Some are plugged and reclaimed for \$800 to \$900 depending on the depth of the hole and the damage there. Some of the older ones, that have caved in, cost a little more. There were deep wells costing \$15,000 to plug and are now completed. The remaining wells are shallow orphan wells. All the wells drilled since 1922 are on record in Shelby. He does not believe there are thousands of unplugged wells and several of those wells still have people who are liable for them. He thinks the interest income from **RIT**, over a period of time, will be sufficient to take care of these holes. The current producers are entitled to relief. This is a tax relief bill for when the fund reaches \$100 million.

Vote: Motion that **SB 249 DO PASS** carried 7-3 by Roll Call Vote with **SENATORS COCCHIARELLA, GROSFIELD AND MCCARTHY VOTING NO.**

EXECUTIVE ACTION ON HB 29

Motion/Vote: SEN. CRISMORE moved that HB 29 BE CONCURRED IN.
Motion carried 10-0. SENATOR GRIMES will carry the bill to the Senate floor.

EXECUTIVE ACTION ON HB 35

Motion/Vote: SEN. CRISMORE moved HB 35 BE CONCURRED IN. **Motion carried 10-0.** SENATOR CRISMORE will carry the bill to the Senate floor.

{Tape : 1; Side : B; Approx. Time Counter : 2.4 - 44; Comments : None.}

ADJOURNMENT

Adjournment: 5:00 P.M.

SEN. WILLIAM CRISMORE, Chairman

JYL SCHEEL, Secretary

WC/JS

EXHIBIT (nas29aad)